

REMARKS

Claims 1-11, 13-20, 23, and 37-48 are pending in the application. Claims 1-11, 13-20, 23, and 37-48 stand rejected. Applicants herein amend claims 1, 37, and 43-48. No new matter has been added. Applicants request further review and examination in view of amendments and following remarks.

Specification

Applicants understand that the specification is lengthy and will cooperate with the Examiner to help identify any possible spelling and grammatical errors.

Claim Rejections – 35 USC § 112

Claims 1, 37, and 43 stand rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement. The Office Action states that the subject matter, “the kernel mode of the operating system including instructions for a database management program” is not supported by the specification. Applicant disagrees for the reasons stated in the Response to Office Action filed November 19, 2009. However, in the interest of furthering prosecution Applicants have amended claims 1, 37, and 43 to remove this subject matter. Accordingly, the 35 U.S.C. 112, first paragraph rejections of claims 1, 37, and 43 are moot.

Claim Rejections – 35 USC § 101

The Office Action lists claims 1-11, 13-20, 23, and 43-48 under the heading “Claim Rejections,” however Applicants note that they are not in fact rejected. Applicants respectfully request that the Examiner clarify whether these claims are rejected under 35 U.S.C. § 101 in any subsequent action.

Claim Rejections – 35 USC § 103

Claims 1, 37, and 43 stand rejected under 35 U.S.C. 103 as allegedly being unpatentable over US Pat. No. 6,018,342 (“Bristor”) in view of US Patent Publication No. 2003/0009685 (Choo) over US Pat. No. 7,158,962 (“Nelson”).

Applicants respectfully submit that the art of record fails to teach or suggest at least:

the instructions for the database management program further including instructions for receiving receive read/write requests from the user mode applications for Items via one or more functions of an operating system application program interface; and

the instructions for the database management program further including instructions for deserializing files storing the file data for the Items into Items and return the Items to the user mode applications;

Support for this amendment is found at least in paragraphs [0777] through [0794] which describe the runtime framework of the database management program. As stated in the previous response, Bristor fails to describe a database management program that is part of an operating system and controls access to a file system. Applicants submit that Bristor shows a database management program that is installed on a computer system that runs Unix. It does not show that Unix includes a database management program. Just because a program runs on a computer system that also has an operating system does not mean that the program is a part of the operating system. Nelson describes a technique for linking items with multiple attributes. Nelson does not describe a database management program that is part of an operating system.

Choo also fails to teach or suggest the claimed subject matter. Choo describes a database with access rules. A kernel module can use the access rules to whether a user space application is authorized to access a file utilizing access rules stored in said database. Applicants submit that this does not teach or suggest the claimed subject matter.

Moreover, the Office Action states that figures 2-3 and the Abstract of Choo describes the feature “an operating system including...instructions for a database management program.” Applicants disagree. The Abstract states that a security module determines whether a user space application is authorized to access a file using a rule stored in a

database. FIG. 3 shows the automatic linking system. The figure shows that the rule database 316 is in the kernel; however it does not state that the database is part of the operating system. Instead, the database may simply run in what is known as kernel mode. Many processes that are not part of an operating system run in kernel mode. For example, certain device drivers made my third parties run in kernel mode; but they are not considered part of the operating system.

FIG. 2 shows a process flow illustrating a method of operation. A portion of the text associated with FIG. 2 states:

Process 201 performs a system call to the kernel of the operating system. The system call includes transferring control to access control logic 202. Access control logic 202 receives a compartment identifier or tag of process 201. Access control logic 202 utilizes the compartment identifier to search rule database 203 to determine whether the compartment associated with process 201 is permitted access to the particular resource. If access is permitted by the rules contained in rule database 203, access control logic 202 transfers processing control to communication access module 204 that performs the software operations to access the resource. If access is not permitted, access control logic 202 transfers processing control to exception handling module 205. Exception handling module 205 may return an exception (e.g., an error message) to process 201 and/or it may stop the operations of process 201. (Paragraph [0014]).

Applicant submits that nothing in the above indicates that the database management is a part of the operating system. Moreover, Applicants respectfully submit that the database of Choo fails to control user mode application access to the file system. Choo describes a security module 204 that performs the software operations to access the resource. The security module 204 merely looks for rules in the database and uses them to enforce access restrictions. This fails to describe the subject matter of claim 1. Accordingly, for at least these reasons Applicants respectfully request reconsideration of the rejections of claim 1.

Insomuch as independent claims 37 and 43 recite subject matter similar to these claims, these claims define over the cited art of record for at least similar reasons as claim 1. Accordingly, Applicants respectfully request reconsideration of the rejections of claims 37 and 43 for the reasons stated above with respect to claim 1.

Claims 2-3, 5, 7-8, 10, 38-39, 41, 44, 45, and 47 stand rejected under 35 USC § 103 as allegedly being unpatentable over Bristor in view of Choo, Nelson, and further view of US Pat. App. Pub. 2004/0199521 (“Anglin”). Applicants respectfully submit that the rejected claims depend from independent claims 1, 37, or 43. The cited portions of Anglin are not relied upon to cure the deficiencies of Bristor, Nelson and Choo noted above and Applicants submit that they do not. Accordingly, Applicants respectfully request withdrawal of these rejections under 35 USC § 103.

Claims 4, 6, 9 and 11 stand rejected under 35 USC § 103 as allegedly being unpatentable over Bristor in view of Choo, Nelson, and in further view of US Pat. App. Pub. 2004/0073560 (“Edwards”). Applicants respectfully submit that the rejected claims depend from independent claim 1. The cited portions of Edwards are not relied upon to cure the deficiencies of Bristor, Nelson and Choo noted above and Applicants submit that they do not. Accordingly, Applicants respectfully request withdrawal of the rejections under 35 USC § 103.

Claims 13-20 stand rejected under 35 USC § 103 as allegedly being unpatentable over Bristor in view of Choo, Nelson and in further view of US Pat. No. 6,578,046 (“Chang”). Applicants respectfully submit that the rejected claims depend from independent claims 1. The cited portions of Chang are not relied upon to cure the deficiencies of Bristor, Nelson and Choo noted above and Applicants submit that they do not. Accordingly, Applicants respectfully request withdrawal of the rejections under 35 USC § 103.

Claim 23 stands rejected under 35 USC § 103 as allegedly being unpatentable over Bristor in view of Choo, Nelson and in further view of US Pat. No. 6,438,545 (“Beauregard”). Applicants respectfully submit that the rejected claims depend from independent claims 1. The cited portions of Beauregard are not relied upon to cure the deficiencies of Bristor, Nelson and Choo noted above and Applicants submit that they do not. Accordingly, Applicants respectfully request withdrawal of the rejections under 35 USC § 103.

Claims 40, 42, 46, and 48 stand rejected under 35 USC § 103 as allegedly being unpatentable over Bristor in view of Choo, Nelson, and in view of Anglin and in further view of Edwards. Applicants respectfully submit that the rejected claims depend from independent

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claims 1. The cited portions of Anglin and Edwards were not relied upon to cure the deficiencies of Bristol, Nelson and Choo noted above and Applicants submit that they do not. Accordingly, Applicants respectfully request withdrawal of the rejections under 35 USC § 103.

CONCLUSION

Applicants request the Examiner reconsider the rejections and issue a Notice of Allowance of all the claims.

The Commissioner is hereby authorized to charge any fee deficiency, charge any additional fees, or credit any overpayment of fees, associated with this application in connection with this filing, or any future filing, submitted to the U.S. Patent and Trademark Office during the pendency of this application, to Deposit Account No. 23-3050.

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